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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/447,974	05/23/95	HARVEY	J [illegible] 145

EXAMINER	

ART UNIT	PAPER NUMBER
2737	15

LM11/1122

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WASHINGTON DC 20004

DATE MAILED: 09/03/98

This is a communication from the examiner in charge of your application.
COMMISSIONER OF PATENTS AND TRADEMARKS

OFFICE ACTION SUMMARY

☒ Responsive to communication(s) filed on 4/7/97.

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 (three) month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

☒ Claim(s) 2-25 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 2-25 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____.

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of Reference Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

-- SEE OFFICE ACTION ON THE FOLLOWING PAGES --

DETAILED ACTION

1. This Office Action is responsive to the amendment(s) filed 11/13/96.

DOUBLE PATENTING V.S. PATENTS

2. After reviewing the restriction requirement under 35 USC 121 in US Patent 5,233,654 it is believed that the claims of the instant application are subject to a double patenting analysis against US Patent 5,233,654 and US Patent 5,335,277.

3. In view of further analysis and applicant's arguments, the rejection of the claims in the instant application under double patenting based on the broad analysis of *In re Schneller* as set forth in paragraphs 7-10 of the previous Office Action has been withdrawn.

DOUBLE PATENTING BETWEEN APPLICATIONS

4. Conflicts exist between claims of the following related co-pending applications which includes the present application:

#	**Ser. No.**	#	**Ser. No.**	#	**Ser. No.**
1	397371	2	397582	3	397636

4	435757	5	435758	6	437044
7	437045	8	437629	9	437635
10	437791	11	437819	12	437864
13	437887	14	437937	15	438011
16	438206	17	438216	18	438659
19	439668	20	439670	21	440657
22	440837	23	441027	24	441033
25	441575	26	441577	27	441701
28	441749	29	441821	30	441880
31	441942	32	441996	33	442165
34	442327	35	442335	36	442369
37	442383	38	442505	39	442507
40	444643	41	444756	42	444757
43	444758	44	444781	45	444786
46	444787	47	444788	48	444887
49	445045	50	445054	51	445290
52	445294	53	445296	54	445328
55	446123	56	446124	57	446429
58	446430	59	446431	60	446432
61	446494	62	446553	63	446579

64	447380	65	447414	66	447415
67	447416	68	447446	69	447447
70	447448	71	447449	72	447496
73	447502	74	447529	75	447611
76	447621	77	447679	78	447711
79	447712	80	447724	81	447726
82	447826	83	447908	84	447938
85	447974	86	447977	87	448099
88	448116	89	448141	90	448143
91	448175	92	448251	93	448309
94	448326	95	448643	96	448644
97	448662	98	448667	99	448794
100	448810	101	448833	102	448915
103	448916	104	448917	105	448976
106	448977	107	448978	108	448979
109	449097	110	449110	111	449248
112	449263	113	449281	114	449291
115	449302	116	449351	117	449369
118	449411	119	449413	120	449523
121	449530	122	449531	123	449532

124	449652	125	449697	126	449702
127	449717	128	449718	129	449798
130	449800	131	449829	132	449867
133	449901	134	450680	135	451203
136	451377	137	451496	138	451746
139	452395	140	458566	141	458699
142	458760	143	459216	144	459217
145	459218	146	459506	147	459507
148	459521	149	459522	150	459788
151	460043	152	460081	153	460085
154	460120	155	460187	156	460240
157	460256	158	460274	159	460387
160	460394	161	460401	162	460556
163	460557	164	460591	165	460592
166	460634	167	460642	168	460668
169	460677	170	460711	171	460713
172	460743	173	460765	174	460766
175	460770	176	460793	177	460817
178	466887	179	466888	180	466890
181	466894	182	467045	183	467904

184	468044	185	468323	186	468324
187	468641	188	468736	189	468994
190	469056	191	469059	192	469078
193	469103	194	469106	195	469107
196	469108	197	469109	198	469355
199	469496	200	469517	201	469612
202	469623	203	469624	204	469626
205	470051	206	470052	207	470053
208	470054	209	470236	210	470447
211	470448	212	470476	213	470570
214	470571	215	471024	216	471191
217	471238	218	471239	219	471240
220	472066	221	472399	222	472462
223	472980	224	473213	225	473224
226	473484	227	473927	228	473996
229	473997	230	473998	231	473999
232	474119	233	474139	234	474145
235	474146	236	474147	237	474496
238	474674	239	474963	240	474964
241	475341	242	475342	243	477547
244	477564	245	477570	246	477660
247	477711	248	477712	249	477805

250	477955	251	478044	252	478107
253	478544	254	478633	255	478767
256	478794	257	478858	258	478864
259	478908	260	479042	261	479215
262	479216	263	479217	264	479374
265	479375	266	479414	267	479523
268	479524	269	479667	270	480059
271	480060	272	480383	273	480392
274	480740	275	481074	276	482573
277	482574	278	482857	279	483054
280	483169	281	483174	282	483269
283	483980	284	484275	285	484276
286	484858	287	484865	288	485282
289	485283	290	485507	291	485775
292	486258	293	486259	294	486265
295	486266	296	486297	297	487155
298	487397	299	487408	300	487410
301	487411	302	487428	303	487506
304	487516	305	487526	306	487536
307	487546	308	487556	309	487565
310	487649	311	487851	312	487895
313	487980	314	487981	315	487982

316	487984	317	488032	318	488058
319	488378	320	488383	321	488436
322	488438	323	488439	324	488619
325	488620	326	498002	327	511491
328	485773	329	113329		

5. 37 CFR 1.78(b) provides that when two or more applications filed by the same applicant contain conflicting claims, elimination of such claims from all but one application may be required in the absence of good and sufficient reason for their retention during pendency in more than one application. The attached Appendix provides clear evidence that such conflicting claims exist between the 329 related co-pending applications identified above. However, an analysis of all claims in the 329 related co-pending applications would be an extreme burden on the Office requiring millions of claim comparisons.

In order to resolve the conflict between applications, applicant is required to either:

(1) file terminal disclaimers in each of the related 329 applications terminally disclaiming each of the other 329 applications, or;

(2) provide an affidavit attesting to the fact that all claims in the 329 applications have been reviewed by applicant and that no conflicting claims exists between the applications. Applicant should provide all relevant factual information including the specific steps taken to insure that no conflicting claims exist between the applications, or;

(3) resolve all conflicts between claims in the above identified 329 applications by identifying how all the claims in the instant application are distinct and separate inventions from all the claims

in the above identified 329 applications (note: the five examples in the attached Appendix are merely illustrative of the overall problem. Only correcting the five identified conflicts would not satisfy the requirement).

INFORMATION DISCLOSURE STATEMENTS

6. Receipt is acknowledged of applicant's Information Disclosure Statements filed 9/12/95, 12/11/95, 2/6/95, 4/17/96, and 4/7/97. In view of the unusually large number of references cited in the instant application (approximately 2,200 originally and 645 in the subsequent IDS) and the failure of applicant to point out why such a large number of references is warranted, these references have been considered in accordance with 37 C.F.R. 1.97 and 1.98 to the best ability by the examiner with the time and resources available.

The foreign language references cited therein where there is no statement of relevance or no translation are not in compliance with 37 C.F.R. 1.98 and have not been considered. Numerous references listed in the IDS are subsequent to applicant's latest effective filing date of 9/11/87, therefore, the relevancy of these references is unclear. Also cited are numerous references that are apparently unrelated to the subject matter of the instant invention such as: US Patent # 33,189 directed toward a beehive, GB 1565319 directed toward a chemical compound, a cover sheet with only the word "ZING", a computer printout from a library search with the words "LST" on it and a page of business cards including that of co-inventor James Cuddihy, among others. The relevancy of these references cannot be ascertained. Furthermore, there are several database search results listed in foreign languages (such as German) which list only the title and

document information; no copy has been provided, therefore, these references have not been considered.

CLAIM REJECTIONS - 35 USC § 112

7. Claims 2-25 are rejected under 35 U.S.C. 112, first paragraph, as containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

37 C.F.R. 1.75(d)(1) requires that:

> **"the terms and the phrases used in the claims must find clear support or antecedent basis in the description so that the meaning of the terms in the claims may be ascertainable by reference to the description".**

The following limitations were not supported by the specification as originally filed:

The examiner notes that a step of "storing subscriber data" does not specify whether one piece of subscriber data is being stored or, alternatively, whether a plurality of pieces of subscriber data are being stored; i.e. the recitation is *generic* in that the recitation could be read on either of the two alternatives. With respect to claim 2, it is noted that applicant has elected to go beyond such a generic recitation in that it now positively recites a step of "storing one or more subscriber data"; i.e. thereby making the recitation explicitly

inclusive of a step of storing only one piece of data and explicitly inclusive of a step of storing a plurality of pieces of data [see lines 10-12]. In order to establish support for the addition of the alternative expression "one or more" to the generic recitation of a step of "storing subscriber data", applicant needs to show that the original disclosure explicitly described an implementation in which the recited method included the step of storing only one subscriber data designating a subject of interest, and must show that the original disclosure explicitly described an alternative implementation in which the recited method included the step of storing more than said one subscriber data designating subject of interest of a subscriber. If such alternative implementations were not explicitly disclosed via the original disclosure, then applicant's attempt to add such explicit recitations in an amendment that was filed subsequent to the filing of the original application clearly constitutes the addition of "New Matter". Clarification is required. Similar clarifications are needed throughout the claims as will be addressed below.

Given the above, the examiner asks applicant to review all of the pending claims and to make sure that explicit support was provided in the original disclosure for all of the alternative expressions that now explicitly recited in the pending claims.

With respect to claim 2, it is not clear where the original disclosure provided clear support or antecedent basis for the recitation of "one or more subscriber data designating a subject of interest of a subscriber" [see lines 10-12] and for the recitation of an "instruct-to-generated signal" [see line 13]. Clarification is needed.

With respect to claim 2, it is not clear where the original disclosure described a method of controlling the output of mass medium program material at a subscriber station, having the subscriber station configuration recited in the preamble of claim 2, wherein the method included: steps for presenting communicated mass medium programming at an output device by controlling a memory in accordance with a schedule, which schedule was generated by processing stored data designating a subject of interest of a subscriber in response to a received "instruct-to-generate" signal. Clarification is needed.

With respect to claims 2 and 9, it is not clear where the original disclosure provided clear support or antecedent basis for the recited "instruct-to-generate signal": a) which contained "one or more software and data modules" [see lines 1 and 2 of claim 9]; b) which, *in combination with data designating a subject of interest of a subscriber*, was used for the generation of a schedule (see lines 14 and 15 of claim 2); and, in addition to the preceding, c) which was used for each one of the following:

1) was used to reprogram a memory or processor (see lines 6 and 7 of claim 9);

2) was used to interconnect a plurality of devices at the subscriber station (see lines 8-10 of claim 9);

3) was used to control a decrypt or (see lines 11 and 12 of claim 9);

4) was used to generate a subscriber budget, a financial analysis, a recommended plan, and a solution to a problem (see lines 13-15 of claim 9); and

5) was used in combination with "linear programming" to "value information contained in said mass medium program material" [see lines 16 and 17 of claim 9].

Clarification is needed.

With respect to claims 2 and 10, it is not clear where the disclosure as originally filed provided clear support or antecedent basis for a step of "analyzing" data, designating a subject of interest of a subscriber, to "value information contained in said mass medium programming" [see lines 2 and 3 of claim 10 referenced back to lines 11 and 12 of claim 2].

The use of the alternative expression "or" throughout in the preamble of claim 11 is confusing, is indefinite, and appears to be misdescriptive. Specifically, as best understood from the original disclosure, the disclosed system which comprised the structure recited in claim 11 always appears to have comprised all of said the recited structures (i.e. the plurality of storage devices, the plurality of memory locations, and said "instruct-to-generate" signal). Being such, the original disclosure does not appear to support the use of the alternative expression "or" in this claim. Clarification is needed.

With respect to claims 2 and 13, it is not clear where the disclosure as originally filed provided support for the "outputting" of combined and sequential presentations of mass medium program material and a generated output information content, wherein the

generated output information content was generated by processing data designating a subject of interest of a subscriber in response to said instruct-to-generate signal of claim 2, and wherein the instruct-to-generate signal was also used for the generation of said schedule [note the recitations of claim 13 when referenced back to lines 11, 12, 14, and 15 of claim 2]. Clarification is needed.

The examiner notes that claim 14 positively recites "one or more data of subscriber choice" [see line 4] and thereby the original disclosure must provide clear support for both alternatives of the recitation. Being such, with respect to claims 2 and 14, it is not clear where the original disclosure provided clear support and antecedent basis **for both**: the inputting of only one data of a subscriber choice to a remote station in accordance with a module that was stored at a subscriber station, wherein the module was stored in response to an instruct-to-generate signal and wherein said instruct-to-generate signal was also used to generate a schedule [note the limitations of claim 14 when referenced back to 14 and 15 of claim 2]; and the inputting of more than said one data of a subscriber choice to a remote station in accordance with a module that was stored at a subscriber station, wherein the module was stored in response to an instruct-to-generate signal and wherein said instruct-to-generate signal was also used to generate a schedule [note the limitations of claim 14 when referenced back to 14 and 15 of claim 2]. Clarification is needed.

With respect to claims 2 and 15, it is not clear where the original disclosure described the method for controlling the outputting of mass medium programming recited in claim 2:

a) wherein the method included the presenting of mass medium program material at an output device in accordance with a schedule that was generated by processing data designating a subject of interest of a subscriber in response to a received instruct-to-generate signal (as recited in claim 2) ; b) wherein said mass medium programming was used to present "print"; c) wherein the output device simultaneously or sequentially outputted at least one cost/benefit datum along with said print; **and** d) wherein said at least one cost benefit datum presented a value of a product or service that was advertised by said print. Clarification is needed.

With respect to claims 2 and 16, it is not clear where the original disclosure described the method for controlling the outputting of mass medium programming recited in claim 2: a) wherein the method included the presenting of mass medium program material at an output device in accordance with a schedule that was generated by processing data designating a subject of interest of a subscriber in response to a received instruct-to-generate signal (as recited in claim 2); and b) wherein the mass medium program material was presented simultaneously or sequentially with received television programming. Clarification is needed.

With respect to claims 2 and 17, it is not clear where the original disclosure described the method for controlling the outputting of mass medium programming recited in claim 2: a) wherein the method included the presenting of mass medium program material at an output device in accordance with a schedule that was generated by processing data

designating a subject of interest of a subscriber in response to a received instruct-to-generate signal (as recited in claim 2); and b) wherein a portion receiver was controlled to receive and communicate an expanding and contracting code to a detector. Clarification is required.

The examiner notes that claim 3 recites a method which includes the positive recitations of steps for: a) receiving "one or more instruct signals" [see line 5]; b) generating "one or more subscriber specific data" [see lines 8-10]; and c) transferring "one or more subscriber specific data" to "one or more remote stations". In order to establish support for the alternative expression "one or more" in these recitations, applicant must show where the original disclosure described alternative implementations of the recited method which respectively included a step of receiving "only one instruct signal", a step receiving "more than one instruct signal", a step of generating "only one subscriber specific data", a step of generating "more than one specific data", a step of transferring "only one subscriber specific data" to "one remote station", a step of transferring "only one subscriber specific data" to "more than one remote station", a step of transferring "more than one subscriber specific data" to "one remote station", and , a step of transferring "more than one subscriber specific data" to "more than one remote station". Clarification is required.

When referenced back to the original disclosure, it is not clear how a "viewer" differs from a "participant" as would be needed to justify the use of the alternative expression "a viewer's or participant's response"in the last two lines of claim 3 [i.e. if the term viewer and the term participant actually had the same meaning when referenced back to the original disclosure, then the use of the alternative expression in the claim adds nothing but confusion]. Clarification is needed.

With respect to claim 3, it is not clear where the original disclosure described a method which included the transferring *one or more* subscriber specific data to *one or more* remote stations based one the reception of a *viewer's or participant's* response to a combined medium presentation at a subscriber station; wherein *one or more* subscriber data and a schedule to output mass medium program material were generated at said same subscriber station in response to the reception of *one or more* instruct signals. Clarification is required.

With respect to claims 3 and 18, it is not clear where the original disclosure described a method which included the transferring *one or more* subscriber specific data to *one or more* remote stations based one the reception of a *viewer's or participant's* response to a combined medium presentation at a subscriber station; wherein *one or more* received instruct signals were used: a) to generate *one or more* subscriber data and a schedule to output mass medium program material; and b) to cause the execution of a stored software

module which execution was then evidenced by stored meter information or stored monitor information. Clarification is required.

The examiner notes that the term "data" was explicitly used in applicant's original disclosure in order to have referred to digital broadcast "data". The examiner acknowledges that the term "data" was at least implicitly used by applicant's original disclosure so as to have referred to the described SPAM messages. The examiner, however, refutes the position that applicant's original disclosure ever used the "data" terminology in order to have referred to the described "television or radio programming units". In view of the meaning of the term "data" as defined within applicant's original disclosure, clarification of the following is needed:

a) Clarification is needed to show where applicant's original disclosure provided clear support or antecedent basis for the recitations of a "remote intermediate *data* transmitter station" (note lines 1 and 2) which included: 1) a *data* receiver; and 2) a plurality of selective transmission devices each operatively connected to a transmitter for communicating a "unit of *data*".

b) Clarification is needed to show where the original disclosure provided clear support or antecedent basis for the terms "data" and "unit of data" as used in claim 4.

In line 5 of claim 4, the alternative expression "computer or processor" is confusing and does not appear to be supported by applicant's original disclosure because said

original disclosure appears to have used and defined the term "processor" as having been inclusive of said "computer" and not as having been an alternative for said "computer" as is now recited. Similar clarification is needed for the recitation "controller or computer" in line 7 of claim 4.

With respect to claim 4, it is not clear where the original disclosure described the recited method of controlling a "remote intermediate data transmitter station" wherein said "remote intermediate data transmitter station"comprised all of the following and their positively recited alternatives: 1) a transmitter for transmitting one or more signals which were effective at a receiver station to instruct a computer (and, alternatively, "a processor"); b) said transmitter at which was delivered one (and, alternatively, "more") instruct signals which were effective at said receiver station to generate a schedule and output mass medium programming according to said schedule; c) a plurality of selective transmission devices; d) a controller (and, alternatively, a "computer") for controlling one (and, alternatively, "more") of said selective transmission devices; e) one (and, alternatively, "more") origination transmitters to which is delivered said one (and, alternatively, "more") instruct signals; and e) means for receiving one (and, ålternatively, "more")control signals, which were transmitted to the remote intermediate data transmitter station before a specific time, which operate at the remote intermediate data transmitter sation receiver to control the communication of said one (and, alternatively, "more") instruct signals.

With respect to claim 5, it is not clear where the original disclosure described the recited method of controlling a "remote intermediate data transmitter station" wherein said "remote intermediate data transmitter station"comprised all of the following and their numerous positively recited alternatives: 1) a transmitter for transmitting one (and, alternatively, "more") signals which were effective at a receiver station to instruct a computer (and, alternatively, "a processor"); b) said transmitter at which was delivered one (and, alternatively, "more") instruct signals which were effective at said receiver station to generate a schedule and output mass medium programming according to said schedule; c) a plurality of selective transmission devices; d) a controller (and, alternatively, a "computer") for controlling one (and, alternatively, "more") of said selective transmission devices; e) one (and, alternatively, "more") origination transmitters to which were delivered said one (and, alternatively, "more") instruct signals; e) means for receiving one (and, alternatively, "more")control signals, which were transmitted to the remote intermediate data transmitter station before a specific time, which operate at the remote intermediate data transmitter sation receiver to control the communication of said one (and, alternatively, "more") instruct signals; and f) wherein a specific one of said one (and, alternatively, "more") control signals was embedded in said one (and, alternatively, "more") instruct signals and, alternatively, was embedded in an information transmission containing said one (and, alternatively, "more") instruct signals.

With respect to claim 6, it is not clear where the original disclosure described the recited method of controlling a "remote intermediate data transmitter station" wherein said "remote intermediate data transmitter station"comprised all of the following and their numerous positively recited alternatives: 1) a transmitter for transmitting one (and, alternatively, "more") signals which were effective at a receiver station to instruct a computer (and, alternatively, "a processor"); b) said transmitter at which was delivered one (and, alternatively, "more") instruct signals which were effective at said receiver station to generate a schedule and output mass medium programming according to said schedule; c) a plurality of selective transmission devices; d) a controller (and, alternatively, a "computer") for controlling one (and, alternatively, "more") of said selective transmission devices; e) one (and, alternatively, "more") origination transmitters to which were delivered said one (and, alternatively, "more") instruct signals; e) means for receiving one (and, alternatively, "more")control signals, which were transmitted to the remote intermediate data transmitter station before a specific time, which operate at the remote intermediate data transmitter sation receiver to control the communication of said one (and, alternatively, "more") instruct signals; f) wherein said specific time is a scheduled time of transmitting said one (and, alternatively, "more") instruct signals or, alternatively, of transmitting some information associated with said one (and, alternatively, "more") instruct signals; and g) wherein said one (and, alternatively, "more") control signals are effective to control one (and, alternatively, "more") of said plurality of selective transmission devices at different times. Clarification is needed.

With respect to claim 19, it is not clear where the original disclosure described the recited method of controlling a "remote intermediate data transmitter station" wherein said "remote intermediate data transmitter station"comprised all of the following and their numerous positively recited alternatives: 1) a transmitter for transmitting one (and, alternatively, "more") signals which were effective at a receiver station to instruct a computer (and, alternatively, "a processor"); b) said transmitter at which was delivered one (and, alternatively, "more") instruct signals which were effective at said receiver station to generate a schedule and output mass medium programming according to said schedule; c) a plurality of selective transmission devices; d) a controller (and, alternatively, a "computer") for controlling one (and, alternatively, "more") of said selective transmission devices; e) one (and, alternatively, "more") origination transmitters to which were delivered said one (and, alternatively, "more") instruct signals; f) means for receiving one (and, alternatively, "more")control signals, which were transmitted to the remote intermediate data transmitter station before a specific time, which operate at the remote intermediate data transmitter sation receiver to control the communication of said one (and, alternatively, "more") instruct signals; g) wherein said one (and, alternatively, "more") instruct signals include a higher language code which is assembled at the intermediate transmitter station (and, alternatively, at said receiver station); h) wherein a second control signal is communicated to said one (and, alternatively, "more") of said one (and, alternatively, "more") origination transmitters; and I) wherein said second control signal is operative at said intermediate transmitter station (and, alternatively, at said

receiver station) to assemble at least some of said one (and, alternatively, "more") instruct signals. Clarification is needed.

With respect to claim 20, it is not clear where the original disclosure described the recited method of controlling a "remote intermediate data transmitter station" wherein said "remote intermediate data transmitter station"comprised all of the following and their positively recited alternatives: 1) a transmitter for transmitting one or more signals which were effective at a receiver station to instruct a computer (and, alternatively, "a processor"); b) said transmitter at which was delivered one (and, alternatively, "more") instruct signals which were effective at said receiver station to generate a schedule and video according to said schedule; c) a plurality of selective transmission devices; d) a controller (and, alternatively, a "computer") for controlling one (and, alternatively, "more") of said selective transmission devices; e) one (and, alternatively, "more") origination transmitters to which is delivered said one (and, alternatively, "more") instruct signals; f) means for receiving one (and, alternatively, "more")control signals, which were transmitted to the remote intermediate data transmitter station before a specific time, which operate at the remote intermediate data transmitter sation receiver to control the communication of said one (and, alternatively, "more") instruct signals; g) wherein said specific time is a time to output said video according to said schedule; h) wherein said one (and, alternatively, "more") instruct signals contain higher language code; and I) wherein said one (and, alternatively, "more") instruct signals modify a sequence of images in said video based on said schedule. Clarification is needed.

The examiner notes that term "interactive" was conventionally used in the information distribution arts to have referred to two-way distribution systems which enabled a subscriber to control a remote database so as to directly access desired information from said remote database (i.e. a "Videotext" system in which a subscriber accesses information from a remote data base over a telephone line). The examiner notes that the term "pseudo interactive" was conventionally used in the information distribution arts to have referred to one-way broadcast systems which were configured so as to give a subscriber an illusion of being interactive (i.e. standard "Teletext" in which a local decoder selected and displayed portions of a continuously transmitted database). Given such a conventional definition of the term "interactive", it is not clear where applicant's original disclosure described an "interactive method for information delivery for use with an interactive image output apparatus " as is now recited in the preamble of claim 7. More specifically, it is not clear where applicant's disclosure (as originally filed) described a "two-way" information delivery system as appears to be required by the use of the term "interactive"in claim 7. Clarification is required.

With respect to claim 7, it is not clear where the original disclosure provided clear support or antecedent basis for ALL of the following recitations: a) "an interactive method for information delivery"; b) "an interactive output apparatus" comprised of "one or more output devices"; c) an "image sequence" that "contains" at least one receiver specific datum; d) said "image sequence" that "explains" said at least one receiver specific datum; e) an "offer" for input in respect of the information, of an interactive method for said information delivery, wherein the "offer" is made during the image sequence that contains

said at least one receiver specific datum; f) said "offer" for input in respect of the information, of the interactive method for said information delivery, wherein the "offer" is made during the image sequence that explains said at least one receiver specific datum; and g) the "data" which is communicated to a remote site via said recited interactive method of information delivery; h) the "network" at said "remote site" which comprises a plurality of transmitter stations and in which is "generated" one (and, alternatively, "more") messages which operate at the interactive output apparatus to generate a schedule and to output a second sequence of images in response to said generated schedule; and I) the "network" at said "remote site" which comprises a plurality of transmitter stations and in which is "assembled" one (and, alternatively, "more") messages which operate at the interactive output apparatus to generate a schedule and to output a second sequence of images in response to said generated schedule. Clarification is required.

Line 20 of claim 7 includes the alternative recitation "generating or assembling...one or more messages". It is not clear where and how applicant's original disclosure differentiates the recited step of "generating...one or more messages" from the recited step of "assembling...one or more messages " as would be needed in order to support and justify the need for such an alternative recitation.

With respect to claim 7, it is not clear where applicant's original disclosure described an interactive method for information delivery for use with an interactive image output

apparatus wherein said method included: a) a step for outputting a first image sequence that contains (and, alternatively, "explains") at least one receiver specific datum; b) the step of "making an offer" for input in respect of said information; c) a step of receiving input from a subscriber in response to said offer; d) a step of communicating data to a remote site; e) a step of generating (and, alternatively, "assembling") one (and, alternatively, "more") messages wherein said one (and, alternatively, "more") messages operate to generate a schedule at said output apparatus whereby a second sequence of images can be outputted; and f) a step of delivering said information at said one (and, alternatively, "more") output devices on the basis of said one (and, alternatively, "more") assembled (and, alternatively, "generated") messages. Clarification is needed.

8. Claims 4-6 and 19-21 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Applicant's original disclosure appears to have used the term "data"to have referred specifically to "broadcast data" and not to have referred to the disclosed units of TV/Radio programming; i.e. the term "units of data" was not used synonymously with the terminology "units of TV/ Radio programming". However, as presently claimed (see claim 4), it appears that applicant has now attempted to broaden the original meaning of the terminology "data" so as to be inclusive of TV and radio programming. Such inconsistent used of the "data" terminology between the claims and the original disclosure is confusing and renders the claims indefinite. Clarification is required.

Claim 4 is confusing and indefinite because it is not clear whether the recitation of "one or more signals" which are effective "*to instruct* a computer or processor" in lines 3-5 refers to the same one or more signals as the recitation of "one or more instruct signals" in line 12.

In claim 4, line 16, the recitation "said one or more instruct signals to be transmitted by the remote intermediate data transmitter station" is indefinite because it is not clear whether it refers back to the "one or more signals" which are effective "*to instruct* a computer or processor" as recited in lines 3-5 and/or to the "one or more instruct signals" in recited line 12. Clarification is needed.

CLAIM REJECTIONS - 35 USC § 102

9. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless --
>
> (a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

10. Claims 3 and 18 are rejected under 35 U.S.C. 102(e) as being anticipated by Gomersall (US #4,630,108).

Gomersall disclosed a system for generating and communicating subscriber station information from subscriber stations to one or more remote stations. The system comprised means, located at the subscriber station(s) illustrated in figure 4, which operated:

a) to have stored subscriber data at a subscriber station (@66,70);

b) to have received, at a subscriber station, one or more instruct signals which were used in order to have produced a schedule for generating and outputting a

combined display comprised of subscriber specific data and mass medium program material [i.e. the digital data, provided from a receiver/decoder (22,56,60) or from modem 80, which controlled the generation and output of various types of data so as to have produced a combined presentation specific to each subscriber]. SEE: lines 14-39 of column 9; and lines 53-57 of column 10.

c) to have received subscriber's responses to the displayed programming and to have transferred said received responses to a remote station [i.e. the subscribers responded to the combined display by purchasing merchandise and a record of these purchases was transferred to a remote station for analysis]. Note: lines 39-47 of column 6; and 57-66 of column 9.

With respect to claim 18, it is noted that CPU (66) at least inherently controlled all of the above listed operations of the subscriber station via locally stored software modules.

CLAIM REJECTIONS - 35 USC § 103

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103© and potential 35 U.S.C. 102(f) or (g) prior art under 35 U.S.C. 103(a).

12. Claim 2, 9, 11, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wine [GB No. 2,140,963].

I. The showing of Wine:

As is shown in figure 2, Wine disclosed a "subscriber playback station" which comprised: a) an output device (20); b) à storage device (10) which included a stylus assembly (14) for retrieving stored information from a memory (12); a receiver (16) for receiving the retrieved information; and a processor (18, 25) for processing the retrieved information. More specifically, the system comprised:

1) said memory (12) for storing a plurality of video program segments representing displayable "mass medium" video program material;

2) said memory (12) for storing digital auxiliary information (i.e. "software") along with said stored program material; said digital auxiliary information including "subscriber selection data" which designates at least one subject of interest to be

selected by the subscriber (i.e. designating "a happy end to a movie", "a sad end to a movie", etc,...) [note: lines 11-15 on page 1; lines 50-64 on page 2; and lines 71-74 on page 3];

3) a kicker mechanism (30) for receiving an "instruct-to-generate" signal from a subscriber input device (31);

4) control circuitry (25) for processing said "subscriber selection data" in response to said "instruct-to-generate" signal; said control circuitry generating a stylus "dancing routine" which directs the movement of the stylus of said memory in order to output the sequence of stored program segments corresponding to "the subject of interest" which was selected by the subscriber [note lines 50-64 of page 2];

5) means (28,14) for controlling the memory to communicate stored segments of the mass medium program material to said output device in accordance with said "dancing routine"[note lines 50-64 of page 2]; and

6) said output device (20) for presenting said communicated segments.

II. Differences:

Claim 2 differs from Wine only in that claim 2 recites a "schedule" while Wine discloses a "dancing routine".

III. Obviousness:

The examiner maintains that it would have been obvious to one skilled in the art that the "dancing routine" described by Wine represented a "schedule", as claimed by applicant, because said "dancing routine" identified/listed the sequence in which selected program segments were to have been reproduced and displayed, based on the subscriber input, in order to have produced the program selected by the subscriber.

****

a) With respect to claim 9, it is noted that the "instruct-to-generate" signal in Wine is used to instruct controller (25) to control the "branching" of the presented interactive programming. Being such, it is maintained that said "instruct-to-generate" signal in Wine constitutes "software and data modules".

b) With respect to claim 11, it is noted: that said "instruct-to-generate" signal in Wine designates a plurality of program segment (i.e. at least one segment at each branching point); that said memory in Wine includes a plurality of memory locations; and that said program segments have been stored at specific memory locations of said memory.

c) With respect to claim 13, it is noted that the program segments themselves include a "output information content".

13. Claim 2 and 8-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Yamaguchi (US # 4,742,516).

I. The showing of Yamaguchi:

As is illustrated in figure 1, Yamaguchi disclosed a system for distributing mass medium program material. The system comprised: 1) at least one transmission station (1) for receiving, formatting, and broadcasting the mass medium program material; 2) at least one receiving set (2) for receiving, processing, and displaying selected portions of the broadcasted mass medium program material; and 3) at least one receiver/user (3). As is illustrated in figure 3, each of the receiving sets comprised: 1) an output device (38,40); 2) a first memory (36); a receiver (31); and a processor (i.e. 32-35). The receiver comprised:

a) means for storing mass medium program material [i.e. memory (36) for storing the received "text" data];

b) means for storing one or more subscriber data each of which designated a subject of interest of the receiver/user [i.e. memories (34 and/or 36) for storing "classification codes" which were selected based receiver/user inputs received by memory 34];

c) means for receiving an instruct-to-generate signal [i.e. scanning device (37) which receives an "output order" from the receiver/user];

d) means for controlling said first memory, upon reception of said instruct-to-generate signal, to cause a sequence of mass medium program material to be

communicated from said first memory for presentation on said output device (38,40) [i.e. said scanning device (37)which controls the outputting of program material from said first memory (36)]; wherein said means for controlling determines the sequence in which the mass medium programming is outputted from said first memory by processing said one or more subscriber data such that the mass medium material is readout in a sequence that is different from that in which it was received [i.e. upon receiving the output order, "scanning device" 37 reads selected portions the stored program material out of memory 36 in a display sequence that was derived by processing the classification codes which were inputted by receiver/user (note lines 5-13 of column 10)]; and

d) said output device (38,40) for presenting the communicated program material.

II. Differences:

The method recited in claim 2 differs from the operation of the receiver described in Yamaguchi only in that the method of claim 2 recites: a step for *generating* a schedule by processing said one or more subscriber data in response to said received instruct-to-generate signal; and a step for communicating program material to an output device in accordance with said [*generated*] schedule.

III. Obviousness:

A) Under *simple* circumstances, said scanning device (37) in Yamaguchi was described as having operated to have sequentially read the accumulated mass medium program material out of memory (36) in "succession"; i.e. to have read said program material out

of memory in the order that it was "accumulated"[note lines 15-22 of column 11]. To have accomplished such a reading operation, said scanning device (37) must have been supplied with the information (i.e. "memory access information") which would have enabled it to have identified the order in which the memory locations of said memory (36) had to have been accessed/read so as to have outputted said accumulated material in said explicitly described "succession". It is maintained that such memory access information, by definition, represents a display or output "schedule"[i.e. a list of memory location containing the program material to be outputted].

B) Under *more complex* circumstances, said scanning device (37) was described as having been "*improved*" such that is was able to have processed the receiver/user entered classification code(s) in order to have changed the order in which the accumulated mass medium program material was read out of memory (36) [see lines 58-68 of column 9; and lines 1-14 of column 10]. In order to have accomplished such a modified reading operation, it would have been obvious to one skilled in the art that the improved scanning device (37) must have included means which modified said memory access information based on said user entered classification codes so as to have allowed said scanning device (37) to have changed the order in which the memory locations of memory (36) were accessed/read (as was described). This modification process corresponds to the recited step for *generating* a schedule by processing said one or more subscriber data....

****

1) With respect to claim 8, it is noted that the receiving sets of Yamaguchi comprised a switch (33).

2) With respect to claims 9, it is noted that the instruct-to-generate signal in Yamaguchi represents a data module which operates to reprogram memory 37 via elements 33 and 34.

3) With respect to claim 10, it is noted that the subscriber data in Yamaguchi is analyzed via elements 33 and 35 so to control those portions of the programming which are store in memory 36.

4) All of the limitations of claim 11 are met for reasons already addressed above.

5) The output control signal recited in claim 12 corresponds to the classification codes and the distinction codes provided with the broadcasted programming.

6) The output information content and mass medium programming recited in claim 13 can be read on respective ones of the visual/audio outputs presented on respective output devices.

7) The "module" which is recited in claim 14 can be read on the classification codes input by the receiver/user.

14. Claims 7 and 22-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thonnart (US Parent #4,413,281).

I. The showing of Thonnart:

As is illustrated in figure 5, Thonnart disclosed a system for interactively delivering and displaying TV images to at least one output device (22,23) in response to user inputs entered via input device (29). The system operated:

A) to have outputted first sequences of images which contains at least one subscriber specific datum (@22) wherein the images were provided sequentially both from page memory (28) and/or from frame memory system (16 and 20) under control of a downloaded logic sequence stored in logic memory (27). Note: that while a connection between elements (28) and (22) was not illustrated in figure 5, such a connection did exist as is clearly evidenced in the figure 3 illustration;

B) to have received an input from the subscriber (@29) and to have communicated (via "transmitter" 35) data identifying said subscriber input to a receiver (36) located at a remote site; and

C) to have assembled (via control circuit 37) one or more messages which were then delivered to said output device whereby said output apparatus outputted a next sequence of images according to a "schedule" derived for a downloaded logic sequence which was stored in logic memory (27). Note: lines 39-46 of column 2 and lines 33-48 of column 4.

II. Differences:

Claim 7 differs from Thonnart only in that claim 7 recites: 1) that the first image sequence presents the subscriber with an "offer to input" which prompts the subscriber to enter his response; and 2) that the remote site comprised a plurality of transmitters.

III Obviousness:

The system disclosed by Thonnart was exemplified as having produced complex educational programming which could be independently presented to each of a plurality of students, wherein the educational programming represented successive displays of video, text, and diagrams which were displayed to the students along with associated audio commentaries. The interactive nature of the system allowed the each student to be presented with the succession of images based on the progress of that student [see lines 37-46 of column 2]. The following is noted:

a) it is maintained that it would have been obvious to one skilled in the art, if not inherent, for the user responses in Thonnart to have been "prompted" by "offers" made in the displayed first image sequences (e.g. for the student to have responded to a question presented in a first image sequence resulting in the display of the appropriate explanation and/or advancement to the next succession of images);

b) it is maintained that it would have been obvious to one skilled in the art to have modified the system disclosed by Thonnart to have provided additional interactive programming over a plurality of additional TV channels thereby requiring a plurality of transmitters.

****

1) With respect to claim 22, it is maintained that it would have been obvious for the downloaded "logic sequences" to have been comprised of "higher language codes" as was well known from the "Telesoftware" environment.

2) With respect to claim 23 and 24, it is noted that the displayed images are placed in and cleared from memories 16 and 28 in response to downloaded, and user entered, "instruct signals" as the displayed programming progresses.

3) With respect to claim 25, it is noted that the system disclosed by Thonnart included means for synchronizing the display of successively/simultaneously displayed data (note: lines 2-13 of column 4).

15. The art of record has been applied to the claims to the extent of the examiner's understanding in view of the section 112-2 problems cited above.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mr. Faile whose telephone number is (703) 308-4380.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-4700.

ANDREW I. FAILE
SUPERVISORY PATENT EXAMINER
GROUP 2700

APPENDIX

(Examples of Claim Conflicts between Applications)

Comparison of claim 12 from Serial No. 08/469,626 to claim 24 from Serial No. 08/487,980.

Claim 12	Claim 24
A method of controlling a remote intermediate mass medium programming transmitter station to communicate mass medium program material to one or more receiver stations, with said remote transmitter station including a broadcast or cablecast transmitter for transmitting one or more units of mass medium programming, a plurality of selective transmission devices each operatively connected to said broadcast or cablecast transmitter for communicating a unit of mass medium programming, a mass medium programming receiver, a control signal detector, and a controller or computer capable of controlling one or more of said selective transmission devices, and with said remote transmitter station adapted to detect the presence of one or more control signals, to control the communication of specific units of mass medium programming in response to detected specific	A method of controlling a remote intermediate mass medium programming transmitter station to communicate mass medium program material to one or more receiver stations, with said remote transmitter station including a broadcast or cablecast transmitter for transmitting one or more units of mass medium programming, a plurality of selective transmission devices each operatively connected to said broadcast or cablecast transmitter for communicating a unit of mass medium programming, a mass medium programming receiver, a control signal detector, and a controller or computer capable of controlling one or more of said selective transmission devices, and with said remote transmitter station adapted to detect the presence of one or more control signals, to control the communication of specific units of mass medium programming in response to detected specific

control signals, and to deliver at its broadcast or cablecast transmitter one or more units of mass medium program, said method of communicating comprising the steps of:

(1) receiving a unit of mass medium programming to be transmitted by the remote intermediate mass medium programming transmitter station and delivering said unit of mass medium programming to a transmitter, said unit of mass medium programming having an instruct signal which is effective at the one or more receiver stations to ***control a sequence of events***;

(2) receiving one or more control signals which at the remote intermediate mass medium programming transmitter station operate to control the communication of said unit of mass medium programming; and

(3) transmitting said one or more control signals to said

control signals, and to deliver at its broadcast or cablecast transmitter one or more units of mass medium program, said method of communicating comprising the steps of:

(1) receiving a unit of mass medium programming to be transmitted by the remote intermediate mass medium programming transmitter station and delivering said unit of mass medium programming to a transmitter, said unit of mass medium programming having an instruct signal which is effective at the one or more receiver stations to ***decode a portion of a multichannel broadcast or cablecast transmission***;

(2) receiving one or more control signals which at the remote intermediate mass medium programming transmitter station operate to control the communication of said unit of mass medium programming; and

(3) transmitting said one or more control signals to said

transmitter before a specific time.

transmitter before a specific time.

Comparison of claim 24 from Serial No. 08/488,620 to claim 23 from Serial No. 08/477,660.

Claim 24	Claim 23
A method of controlling a computer to communicate a television signal in a television network, said network ***having*** a television transmitter station and a television receiver station, said receiver station having a computer for communicating of television signals, said method comprising the steps of:	A method of controlling a computer to communicate a television signal in a television network, said network ***comprised of*** a television transmitter station and a television receiver station, said receiver station having a computer for communicating of television signals, said method comprising the steps of:
programming ***said receiver station*** to search for data embedded in a television signal;	programming ***a processor*** to search for data embedded in a television signal;
inputting an identifier code that designates a unit of computer software;	inputting an identifier code that designates a unit of computer software;
storing a television signal on a file storage medium at a storage device associated with said computer;	storing a television signal on a file storage medium at a storage device associated with said computer;
receiving from a remote source an information transmission that contains a control signal;	receiving from a remote source an information transmission that contains a control signal;

selecting a storage location associated with said computer in response to said control signal;

transferring said unit of computer software to said storage device;

storing said unit of software on said file storage medium;

executing a technique for communicating a file stored on a disk associated with a computer; and

communicating said television signal in accordance with said technique.

selecting a storage location associated with said computer in response to said control signal;

transferring said unit of computer software to said storage device ***and***

storing said unit of software on said file storage medium,

thereby to enable said computer to execute a technique for communication a file stored on a disk associated with a computer and

communicate said television signal in accordance with said technique.

Comparison of claim 23 from Serial No. 08/488,032 to claim 58 from Serial No. 08/451,746.

Claim 23	Claim 58
A method of communicating subscriber station information from a subscriber station to one or more remote data collection stations, said method comprising the steps of:	A method of communicating subscriber station information from a subscriber station to one or more remote data collection stations, said method comprising the steps of:
(1) inputting a viewer's or participant's reaction at a subscriber station;	(1) inputting a viewer's or participant's reaction at a subscriber station;
(2) receiving at said subscriber station information that designates an instruct signal to process or an output to deliver in consequence of subscriber input;	(2) receiving at said subscriber station information that designates an instruct signal to process or an output to deliver in consequence of ***said specific*** subscriber input;
(3) determining the presence of said subscriber input at said subscriber station by processing said viewer's or participant's reaction;	(3) determining the presence of said ***specific*** subscriber input at said subscriber station by processing said viewer's or participant's reaction;
(4) processing an instruct signal which is effective to ***coordinate data processing with communication or presentation of*** television programming at said	(4) processing an instruct signal which is effective to ***receive, generate, or present output to supplement*** television

subscriber station in consequence of said step of determining; and

(5) transferring from said subscriber station to one or more remote data collection stations an indicia confirming delivery of said instruct signal from said step of processing or confirming delivery of said effect from said step of processing.

programming at said subscriber station in consequence of said step of determining; and

(5) transferring from said subscriber station to one or more remote data collection stations an indicia confirming delivery of said instruct signal from said step of processing or confirming delivery of said effect from said step of processing.

Comparison of claim 47 from Serial No. 08/469,106 to claim 46 from Serial No. 08/487,649.

Claim 47	Claim 46
A method of controlling at least one of a plurality of receiver stations each of which includes a broadcast or cablecast mass medium program receiver, at least one output device, a control signal detector, at least one processor capable of responding to an instruct signal, and with each said mass medium program receiver station adapted to detect and respond to one or more instruct signals, said method of communicating comprising the steps of:	A method of controlling at least one of a plurality of receiver stations each of which includes a broadcast or cablecast mass medium program receiver, at least one output device, a control signal detector, at least one processor capable of responding to an instruct signal, and with each said mass medium program receiver station adapted to detect and respond to one or more instruct signals, said method of communicating comprising the steps of:
(1) receiving at a broadcast or cablecast transmitter station an instruct signal which is effective at the receiver station to ***implement a scheme for generating a control signal*** and delivering the instruct signal to a transmitter;	(1) receiving at a broadcast or cablecast transmitter station an instruct signal which is effective at the receiver station to ***select a broadcast or cablecast signalling scheme and generate a signal in consequence of said selected broadcast or cablecast signalling scheme*** and delivering the instruct signal to a transmitter;
(2) receiving at said transmitter station one or more	(2) receiving at said

control signals which at the receiver station operate to communicate the instruct signal to a specific processor; and

(3) transferring said one or more control signals to the transmitter, said transmitter transmitting the instruct signal and the one or more control signals.

transmitter station one or more control signals which at the receiver station operate to communicate the instruct signal to a specific processor; and

(3) transferring said one or more control signals to the transmitter, said transmitter transmitting the instruct signal and the one or more control signals.

Comparison of claim 11 from Serial No. 08/477,805 to claim 25 from Serial No. 08/449,523.

Claim 11	Claim 25
A method of controlling a remote television transmitter station to communicate television program material to one or more receiver stations, with said remote television transmitter station including a broadcast or cablecast transmitter for transmitting one or more units of television programming, a plurality of selective transmission devices each operatively connected to said broadcast or cablecast transmitter for communicating a unit of television programming, a television receiver, a control signal detector, and a controller or computer capable of controlling one or more of said selective transmission devices, and with said remote transmitter station adapted to detect the presence of one or more control signals, to control the communication of specific units of television programming in response to detected specific control signals, and to deliver at	A method of controlling a remote television transmitter station to communicate television program material to one or more receiver stations, with said remote television transmitter station including a broadcast or cablecast transmitter for transmitting one or more units of television programming, a plurality of selective transmission devices each operatively connected to said broadcast or cablecast transmitter for communicating a unit of television programming, a television receiver, a control signal detector, and a controller or computer capable of controlling one or more of said selective transmission devices, and with said remote transmitter station adapted to detect the presence of one or more control signals, to control the communication of specific units of television programming in response to detected specific control signals, and to deliver at

its broadcast or cablecast transmitter one or more units of television programming, said method of communicating comprising the steps of:

(1) receiving a unit of television programming to be transmitted by the remote intermediate television transmitter station and delivering said unit of television programming to a transmitter;

(2) receiving one or more control signals which at the remote intermediate television transmitter station operate to control the communication of ***a specific one or more of said plurality of units*** of television programming; and

(3) transmitting said one or more control signals to said transmitter before a specific time.

its broadcast or cablecast transmitter one or more units of television programming, said method of communicating comprising the steps of:

(1) receiving a unit of television programming to be transmitted by the remote intermediate television transmitter station and delivering said unit of television programming to a transmitter, ***said unit of television programming having an instruct signal which is effective at the one or more receiver stations to implement a television signalling scheme***;

(2) receiving one or more control signals which at the remote intermediate television transmitter station operate to control the communication of ***said unit*** of television programming; and

(3) transmitting said one or more control signals to said transmitter before a specific time.